

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATERN, INC.,

Plaintiff,

v.

**THE ALLSTATE CORPORATION,
ET AL.,**

Defendants.

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CIVIL NO. 2:09-CV-178-JTW

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
AS TO DEFENDANT BAYER CORPORATION**

Pursuant to FED. R. CIV. P. 41(a)(1)(A)(i), Plaintiff Datatern, Inc., hereby enters this Notice of Voluntary Dismissal Without Prejudice of all claims asserted by Plaintiff against Defendant Bayer Corporation.

July 21, 2009

Respectfully submitted,

/s/ Patrick R. Anderson

Patrick R. Anderson

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Attorney for Plaintiff

DATATERN, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail this 21st day of July, 2009.

/s/ Patrick R. Anderson

Patrick R. Anderson